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STREET SPIRIT

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JUSTICE NEWS & HOMELESS BLUES IN THE EAST BAY

GA Cuts Shred The Safety Net

Abandoned To The Streets, Pushed Into The Poorhouse

by Bertha Ray



Devastating GA cuts threaten to exile thousands of people to the streets photo by Judi Parks

The Alameda County Board of Supervisors voted on April 11 to make staggering cuts in General Assistance, slashing the already miserly GA grant of $300 a month down to $260, and voting to seek the State's approval to reduce GA to a shockingly low $181, as early as September 1.

Adding incarceration to injury, the supervisors voted to convert nearly all the GA grant into mandatory vouchers for county-contracted shelters. If you are poor, the County can now take away your GA check and your freedom of choice and force you to live in a county-sponsored Poorhouse.

Board President Gail Steele admitted that the GA cuts were "terrible" and said she felt the County was headed "to hell," but still voted with the 3-2 majority to rip apart the last shreds of the safety net for the poorest of the poor.

Bertha Ray, a former GA recipient, worked to mobilize community groups to oppose the cuts. She offers a deeply felt account of the inhumanity of these devastating cutbacks.

-- Editor

I feel scared, alone and lost. **Panic** has set in! Oh Lord! What will I do without the only income available to me right now? As a former recipient of General Assistance, these are the emotions that come over me when I read about or hear the slightest hint that there will be cuts in a social program that is already far below decent living standards. How dare they!

Of course, there is a *small* group of recipients that take advantage of this **precious** program. Have you ever heard of a program where they didn't? But does Alameda County have a system that is foolproof? Hmmm! Since they don't, why is GA being attacked when it helps masses of people take a vital step to move on in their lives? Should we ask the Republicans? Where are the Republicans anyway?

I would like them to hear the success stories of former GA recipients. What about me? As part of the myth of a GA recipient goes, I am a drug addict and alcoholic. In 1993, I decided to make a change in my life. I had been a functional addict for most of 25 years, so when I applied to a drug rehab program and found a waiting list of four to six weeks, a struggle began. (A struggle that GA would play an intimate part in.)

I called another program and — not too surprising — ran into another waiting list. Long waiting lists at nearly every drug and alcohol program in the County make it clear that it is only a myth that people don't want to get off drugs. Finally, after a month of waiting, the program called me to come in. One of the more prominent questions of the intake procedure was, "Do you have an income or will you be applying for General Assistance?"

To make a long story short, GA was an important part of my getting into a program that helped turn my life around. I don't want to brag – yes I do. I work at two jobs, I have my own apartment and checking account, and the other day when I updated my resume, there was a long list of accomplishments I've made since recovery. While in the recovery home, with the very small amount of money left over from my rent, food bills, and personal needs, I went to several schools and networked with different organizations, all of which helped build my self-esteem to be a productive member of this society.

All with a meager GA income.

The impact of the GA cuts. . . . Today, I go and

See **GA Cuts** *page six*

SOME MORNING

by Julia Vinograd

I feel I'm about to lose my job,
except I don't have a job.
I feel they'll come some morning
with a pink slip
and take away my coffee
and take away my table at the Cafe Med
and take away the Med.
And they'll tell me politely
that of course it isn't personal
but they've found someone else
to polish the light
who doesn't need to breathe
as much as I do,
they're trying to cut down on waste.
And I'll finish my very last inch
of cold coffee because what's the use?
Then I'll walk out
and the avenue will be gone.
The bookstores will be gone.
The town will be gone.
I'll stand there blinking on a nice warm day
wondering where I am
and what I've been doing
for the past 25 years.

from *False Teeth Talking, (c) 1994*

Do Homeless People with AIDS Deserve to Live In Berkeley?

by Kathy Labriola

I am a counselor and nurse working primarily with low-income people with AIDS in the East Bay. I am also a housing activist involved in many housing issues in Berkeley over the past 20 years, from rent control to developing new affordable housing. I am alarmed and shocked by the escalating hostility towards homeless and poor people, as well as the recent trend of neighborhood opposition or "NIMBYism" against all low-income housing in Berkeley.

No matter what type of affordable housing is being developed or rehabbed, a small number of highly vocal neighbors find some reason to oppose it. When Resources for Community Development (RCD) rehabbed the derelict Bel Aire Motel on University Avenue, the neighbors opposed it, claiming there wasn't enough open space, that poor people shouldn't live next door to a liquor store, and that the neighborhood already had "too many poor people" and more than its "fair share" of affordable housing.

See **AIDS Housing** *page eight*

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Report from the Courtroom —

Berkeley's Poor Laws Lose Round One

by Osha Neumann



Poor people win a respite from Berkeley's Poor Laws photo by Judi Parks

There are no benches," Cinnamon says, wheezing badly and looking around desperately for a place to sit. The cigarette she smoked before she came up the elevator obviously hasn't helped her asthma.

We're in the hall outside Judge Claudia Wilken's courtroom on the fourth floor of the new Federal Building in Oakland. Cinnamon is one of the plaintiffs in the American Civil Liberties Union's lawsuit challenging Berkeley's recently enacted anti-homeless laws which place severe restrictions on panhandling and sitting on the sidewalk. She's here for a hearing on whether or not the court should issue a preliminary injunction blocking enforcement of the poor laws.

Sunlight streams in through the windows of the corridor illuminating clumps of lawyers waiting for their cases to be called. The windows overlook the main entrance to the building, where a beefy private security guard can be seen checking everyone who enters. It's two days after the Oklahoma bombing. Not a good time to be arguing for civil rights. Above the guard, prisms set in the windows of the central lobby cause rainbows to dance on the warm stone facade of the building.

It's a gorgeous structure, but sure enough, there's no place to sit down. Is there a grand conspiracy to prevent sitting in public? Or did they just run out of money before the building was completed?

Cinnamon props herself on a window sill and surveys the clusters of lawyers immersed in last-minute strategy discussions. To the right of the courtroom door, Alan Schlosser, who will argue the case for the ACLU, is huddling with lawyers from the Palo Alto firm of Wilson Sonsini, co-counsel on the case. To the left, Berkeley City Attorney Manuela Albuquerque is conferring with her staff. The courtroom door opens and the bailiff emerges to instill quiet in the corridor. He makes feeble, unsuccessful efforts to herd the lawyers away from the door. Lawyers in general don't herd very well.

Finally it's time for the court's civil calendar. Our case is fifth on the list. We take seats in the front row. Judge Wilken finally calls Berkeley Community Health Project et al. v. City of Berkeley. (Cinnamon is among the "et al." as one of the plaintiffs suing to overturn Berkeley's poor laws.) Alan Schlosser and Manuela Albuquerque introduce themselves and their cohorts.

Judge Wilken indicates that she is inclined to agree with the ACLU that Berkeley's ban on panhandling within six feet of a building and after dark violates the California Constitution's guarantees of free speech. She is impressed by the argument that a ban on solicitation improperly singles out soliciting speech from other speech, thus making a "content-based" distinction that is impermissible under the California Constitution.

Manuela launches into a rapid-fire rebuttal for the City. The California Constitution is no different from the U.S. Constitution and under both, she argues, a ban on solicitation is not content based as long as all asking for money — buying, selling and spare-changing alike — is banned without exception.

People have a right to be free from government intrusion into personal matters which are none of its business. Sitting on one's butt is innocuous activity which doesn't harm anyone. So the government should butt out.

Alan counters, citing various cases, and Manuela counters Alan, citing footnotes from the cases Alan has cited. The argument disappears into a thicket of technicalities. Cinnamon takes a tug on her inhaler and goes off to find a restroom. The judge allows the lawyers to go on for a while, then indicates she's heard enough on that subject.

Judge Wilken asks Alan if the ban on soliciting within 10 feet of an ATM is a problem for the ACLU. Yes, says Alan, because that ban is also content based. So would the city have to ban all talking within 10 feet of an ATM? No, the ACLU would not want that. Manuela complains the City is being whipsawed. If it drafts a ban that restricts all speech at an ATM the ACLU can say it isn't "narrowly tailored." If the City keeps it narrow, then it is making a content-based distinction.

The judge moves on. What about the ban on sitting? Here the ACLU has a two-pronged argument. The first prong is that sitting is a free speech issue. Realistically, if you're going to panhandle, you're going to sit at times. Berkeley's anti-panhandling and anti-sitting ordinances are a package. The attack on sitting is really, the ACLU argues, an attack on speaking, a violation of the First Amendment.

The second prong of its argument concerns what constitutional lawyers call the right to "substantive due process," referring to the right to be free from governmental intrusion into personal matters which are none of its business. Sitting on one's butt is innocuous activity which doesn't harm anyone. So butt out. That's the substantive due process argument in a nutshell. It has the virtue of simplicity.

Manuela counters that the city has a legitimate governmental interest in assuring safety and order in the streets. "We have seen people's fear on their faces," she concludes ominously.

Here Alan has perhaps his best moment of the morning. The problem with the city's argument, he explains, is that nowhere does it connect the things which people legitimately fear — robbery, murder, violence in general — with panhandling and sitting. They submit a declaration that there were 25 ATM robberies in 1993, but nowhere does it say that any of them were committed by panhandlers.

Alan reads from a declaration by the city's "expert," George Kelling, a right-wing professor of criminal justice who has surfaced in anti-homeless cases across the country. Kelling writes: "Cities have an enormous stake in legislating against disorderly behaviors such as panhandling, street prostitution, graffiti, or public drinking." That, says Alan, is the problem: the foes of panhandling see peaceful First Amendment activity as just another "disorderly behavior."

Judge Wilken indicates she's heard enough. She's prepared to issue a preliminary injunction against Berkeley's nighttime panhandling ban and the ban on panhandling within six feet of a building. She will take the rest of the issues under submission and enjoin enforcement of the ordinances in their entirety until she issues her written opinion which can be expected in a couple of weeks.

The courtroom empties. Reporters, seeking quotes for their stories, corner lawyers in the hallway. I get my car and pick up Cinnamon, who is feeding her asthma another cigarette. Back in Berkeley we drive up Telegraph Avenue, thronged with shoppers enjoying the weather. Sidewalk vendors are vending. Cafe sitters are sitting. We see Ray sitting against a building placidly panhandling with his sign and his cup in front of him.

"Hi," I shout. "It's still cool for another couple of weeks."

Great!" he shouts back.

And indeed it is great. At least for now. ■



photo by Judi Parks

Wesley is driven out of Civic Center Park by SFPD

Matrix Arrests Escalate, Turn Ugly

by Jan Spence

Criminalizing the homeless continues in San Francisco, in spite of the resolution from the Board of Supervisors to scrap the Matrix program. By a 9-1 margin, the supervisors voted to declare that Mayor Jordan's program has proven both unsuccessful and inhumane. It was a strong message to the Mayor. Is he listening?

It seems not. Some people living on the streets say that Matrix has been stepped up since the Board's resolution was passed on March 20.

Wesley McKinney received a ticket on April 10 in Civic Center Park for "Loitering/with knife." The pocket knife was lying on a blanket with a jar of peanut butter. Wesley used it to open cans, cut rope and spread peanut butter. He has never used it as a weapon. The $80 knife was confiscated.

"I have to give you a ticket because you look like you live here," Officer Chan said. He issued a ticket and told Wesley, "You have to leave now."

It was Wesley's fourth ticket this month — that's four tickets in 10 days. He has received 19 tickets since January — about one ticket every five days. Something is wrong with this picture. Wesley says, "I make $80 a week collecting cans and bottles. I don't have money to rent a room. Where do I get the money to pay for these tickets?"

Last month, he was sleeping alone in a doorway of the library. At 4:30 a.m., he didn't see or hear a police officer approach, but he felt a sudden, smashing blow to his face. Wesley said the officer hit him with his flashlight and threatened, "If I ever see you in this doorway again, I'll stick this flashlight up your ass. My boss gives me nasty notes, saying that you have to get out of here."

Often, the police kick homeless people in the foot to wake them up. The attack on Wesley was an act of brutality against a defenseless person. It is painful and frustrating to be homeless, but this is worsened in San Francisco because of the harassment and brutality of Matrix and the SFPD.

Plop Art Invades SF Museum of Modern Art

by Richard List

In the 1960's, many buildings that rented low-cost rooms to the down-and-out were demolished in San Francisco. This undoubtedly contributed to homelessness. Some of these demolished areas remained vacant lots for more than 25 years. What a waste!

One such area covered several square blocks South of Market near 4th and Mission. Now the Moscone Center and the San Francisco Museum of Modern Art (SFMOMA) occupy some of these previously vacant lots.

The new SFMOMA cost over 60 million dollars. Personally I like it, but my fellow artist B.N. Duncan does not — he feels it shows expensive poor taste. Some people call it a memorial to John Wayne Bobbitt. It looks like a vice-held penis that has been cut off with a knife.

The new museum is very plush, with polished granite and expensive woodwork. I would like to see the group show by B.N. Duncan and Ace Backwords of *Berkeley Artists on the Fringe* exhibited here.

My resentment comes partly from the way living artists are largely ignored. Attrition and poverty take a terrible toll on us. I can't afford to even rent a room. My sanity would suffer from many robotic jobs; I'd rather work on art or hike. It seems that most cultural money is siphoned away by these Cathedral Art Museums. A lot of National Endowment for the Arts money and private foundation money is taken by the plush art museums.

If Van Gogh was alive today, he'd be ignored just as he was when he lived.

The curators are like High Priests. I'm a little like Martin Luther. I'm (reluctantly) willing to risk my life to get them to pay attention to us. By "us," I mean B.N. Duncan, Moby, Julia Vinograd, the Hate Man, Gino Alvarez, and a number of homeless and poor journalists, visual artists, and various soulful, suffering folks of inspiration: *Berkeley Artists on the Fringe*.

B.N. Duncan has vision and could help millions of people and animals if his message could be broadcast. Duncan's vision includes spiritual kinship of humans and the other creatures on earth, with the glimpse of uplifting meaning in such processes as evolution and ecology.



photo by Lawrence Wolfley

"I really did not want to do this. One slip, and I'd probably die. It is four stories straight down." *-- Richard List*

April 4, 1995, was a "Free Day" (no entrance fee) at the newly opened SFMOMA. I went up to the catwalk on the fourth floor with toilet paper and toilet seat covers hidden in my shirt. I'd had terrible nightmares the night before because I really did not want to do this. One slip, and I'd probably die. It is four stories straight down.

I climbed over the low guard rail, my heart beating furiously. I found a fairly good spot to sit on the bottom framework of the catwalk. I braced my head to hold me in position while I unraveled toilet paper. The paper on four rolls went down several stories like streamers. I dropped toilet seat covers like snowflakes.

The guards were quite excited at first. Crowds gathered on the different landings. I could have given a lecture, but I wasn't prepared for that. I felt victorious as it was. It was like being in "the belly of the beast." The museum is an incredibly controlled environment. You are supposed to dress well and not make noise; photo opportunities are severely limited.

Also, you are supposed to accept the opinions of the curators as authority.

Well, I don't.

Art museums are a very recent phenomenon in the world's history. They are only about 200 years old. You wonder what they're really all about. One question that interests me is, "When do you know you are in an art museum?" After all, what is art? Sometimes I feel that nobody understands art. Another question: "What makes something a piece of sculpture?"

I started a modern art museum for everybody in a vacant lot in Berkeley, at Telegraph and Haste, south of the University campus. (See "New Sense Art Museum for the Poor" in the March *Street Spirit*.) It has no walls, no fees and no rules. It's been in place for six years now. The Associated Press ran a story about the New Sense (nuisance) Art Museum.

What was my motivation for my actions at SFMOMA? I am a publicity seeker. Perhaps I am somewhat mad also. I am very passionate about making "art", and I enjoyed the color and visual texture of the toilet paper I used in the SFMOMA event. I particularly enjoyed the way I was able to use the space below me. I liked the way the paper blended and contrasted with the white, white walls. Also, I feel sometimes my work is mediocre, so I try to spice it up with danger, adrenalin and disobeying the "Authorities."

There was much excitement over my event, but no arrest this year at SFMOMA. I did get arrested on Nov. 10, 1993, at SFMOMA at their old building on Van Ness. The charge was trespassing on a building. I was hanging gold-painted toilet seats on the exterior.

I also put a very nice toilet bowl on top of the University Art Museum in Berkeley, hung a banner, threw toilet paper on the building, and displayed "Berkeley Artists on the Fringe" out front. The guards have pushed me over, seized materials and so on. I've also experienced some pretty severe fascism at Los Angeles Museum of Contemporary Art and the Laguna Beach Modern Art Museum.

I suppose you could see it as David (me) versus Goliath (the modern art establishment). I wouldn't want to overly idealize myself or overly demonize them. Most of "them" are pretty decent folks. But "Authorities" get a lot of money in grants that could be helping talented, suffering, poor and homeless artists. They better share the money pie, though. The worst thing a society can create is a person with nothing to lose. ■

The Games Shelters Play

Homeless Woman and Her Children Face Illegal Eviction

by Susan Prather

In March, 1995, Contra Costa County staff and nonprofit agencies produced a "Continuum of Care" plan as required by the Department of Housing and Urban Development (HUD). This plan describes the programs and process by which homeless people will be moved from the streets to permanent housing, while all their problems are addressed and they receive counseling and treatment.

The Contra Costa County Board of Supervisors bought into this plan and they expect it to work. Unfortunately, they have no idea that this "Continuum" is simply a vehicle to keep those HUD dollars rolling in and the providers funded (until Newt and his gang derail the train).

Living proof of this is Lisa and her two daughters, ages 6 months and 3 years. For the past 10 months, they have lived at Mt. View House, a transitional program for women and children funded by HUD. The program requires that residents pay one-third of their income as rent. A special subsidized housing program for homeless people is available through Mt. View House. It is the only way many homeless women with children will ever live independently.

During the 10 months Lisa has spent at Mt. View House, she has watched many women and their families move into subsidized Section 8 housing through this program. She repeatedly asked when she would be able to apply, but her case manager refused to allow Lisa to participate in the process. On Sept. 20, 1994, her case manager wrote in Lisa's case file: "we will be checking to see if there is any reason not to begin the Section 8 process."

Without explanation, Lisa's case manager never allowed her to apply for Section 8 housing from September, 1994, through March, 1995. When Lisa's time ran out at the transitional house, her case manager told her to "put your children in foster care and move to the Concord shelter (for single adults)."

"I am certain that Contra Costa County is not alone in robbing poor and homeless individuals of their rights as tenants and as human beings. It is just better at it than most and gets caught more often." -- Susan Prather

Because Lisa cannot afford market-rate rents and, more importantly, because she had nowhere else to go, she applied for a 30-day extension at Mt. View. It seemed reasonable enough — if there were no Section 8 subsidies available, why not grant her an extension until it was possible to apply again? Unfortunately, in the bureaucratic world, reason means nothing and "process" is everything.

On April 13th, the Director of Public Health for Contra Costa County, Dr. Wendel Brunner, who also manages all homeless programs, called to inform Lisa that he had denied her request for an extension. He went on to say that she had to leave the shelter that night and that he had made a reservation for her and her children at the Richmond Rescue Mission.

But Lisa had paid her rent through April. She also had established tenancy at Mt. View House by paying rent every month that she had lived there. When Brunner called Lisa and told her that she had to move on April 13, Contra Costa County was caught in an attempt to deny her rights as a tenant. As her advocate, I pointed this out to Brunner. Lisa, fighting for a future for herself and her children, remained strong. She refused to leave Mt. View House and told the County to evict her or let her apply for Section 8.

We contacted several attorneys for help if it came down to an eviction. On April 14, Mt. View Director Janet Bruce tried to return Lisa's April rent. Lisa refused to take the money, saying she had no plans to leave because she had nowhere to go.

As the attorneys looked over the paperwork, they discovered that Lisa had signed a document called a "licensing agreement" that made it sound as if she was living in a hotel and had no rights under the section of the Civil Code which protects tenants. She signed the document when she moved into Mt. View House and thought it was the same as any rental agreement. She had no idea that it was a document that attempted to deny her rights as a tenant under the Civil Code.

First, the County totally disregards the fact that her rent had been paid through April. Then, the Director of Public Health fails to give an appropriate 30-day notice and makes a "reservation" which would expel Lisa and her children into a local mission. Finally, we discover that the "rental/licensing agreement" she signed is illegal under state law! Due process is nearly nonexistent when it comes to county-sponsored programs for the homeless.

I am certain that Contra Costa County is not alone in robbing poor and homeless individuals of their rights as tenants and as human beings. It is just better at it than most and gets caught more often.

However, several members of the Board of Supervisors are now questioning the process that has locked many, many people out of subsidized housing for the past six months. The supervisors also want to know why Lisa is being referred to another shelter when she already has spent 10 months in a County transitional program. It's the first time — and about time — that elected officials in Contra Costa County asked their staff some hard questions about homeless programs.

In the meantime, Lisa and her children continue to live at Mt. View House, even though the director asks her every day when she will be leaving. They still have not given Lisa a 30-day notice. Lisa has now filed a complaint with HUD. Lisa's courage in taking on this cruel system will, undoubtedly, lead to major changes that will make it better for other women and children in Contra Costa County. Most of all, though, the treatment of Lisa and her children have let us all know that there is no such thing as a "Continuum of Care." ■

Activists Take Over Vacant House In Downtown Oakland

"We oppose efforts to bulldoze homeless people out of the downtown in the name of redevelopment, and will fight efforts to force individuals out of this community."

by Sally Hindman

Activists, artists, clergy and neighborhood people converged at Old Man's Park in downtown Oakland on April 15 to participate in an "Art Action" as part of PeaceWalk 1995, drawing connections between militarism and inner-city poverty.

The Gateway Center for Art and Social Change organized the April 15 actions to dramatize how the City of Oakland's downtown gentrification ignores the needs of homeless and poor people. Activists carried out a housing take-over as part of a new campaign to create a community center in the Gateway neighborhood, adjacent to Old Man's Park.

This year, April 15 was Holy Saturday in the Christian tradition, the first day of Passover in the Jewish tradition, the 100th day of the Republican Contract on America and Tax Day.

PeaceWalk 1995 was organized by the Ecumenical Peace Institute, Bay Area Pax Christi, the American Friends Service Committee, Gateway Center for Art and Social Change, the Buddhist Peace Fellowship, and People United for a Better Oakland. Over 30 local organizations co-sponsored PeaceWalk events during the week of April 14-21.

The afternoon began with a worship service at the park involving local churches and ministries, in which Rev. Lorenzo Carlisle, pastor of Community Congregational Church of Oakland, preached. Food Not Bombs warmed the group with bagels and tea as the service wound up. Singer Pinkie Payne led a final round of "Lift Every Voice," the black national anthem, as Sonny Fairley accompanied her on saxophone.

Worship was followed by a rally highlighting the problems of the Contract on America and the impact of poverty in the downtown neighborhood. Former Gov. Jerry Brown spoke, as well as AFSC Regional Director Wilson Riles Jr., and Rev. Rickey Richard-Walker, pastor of First Step Ministries and board member of the Gateway Center.

Rev. Richard-Walker read a statement on behalf of the Gateway Center. "We believe the City of Oakland must take a stand against the classist gentrification of the downtown neighborhood. We oppose efforts to "bulldoze" homeless and poor people out of the downtown in the name of redevelopment—and intend to fight efforts to force agencies and individuals out of this community. We assail the city's support of a new $10 million skating rink in this neighborhood when thousands of Oakland residents remain homeless each year. We seek instead to work with the City in creating desperately needed resources for neighborhood residents through a new Community Center."

Gateway Center's Arts Empowering People Program initiated the project to rebuild Old Man's Park in 1993 and has been working with the City to redesign the park since then. The Gateway Center sees the abandoned house adjacent to the park as an ideal location for a community center offering an indoor children's play area, three transitional housing units, drug and alcohol counseling, and job training.



Photo by Scott Braly

"The children's response to the theme of justice was to paint houses. Justice means being able to live in a house."

A dozen Bay Area artists loaned works for an "Art Action" entitled, "14 Stations of Inner-City Justice," in which local poets and writers read. Among those contributing art were: political graphics artist Doug Minkler; jewelry maker Katya Miller; sculptors Yusef Al-Waahid, Ilona Sturm and James Moore; and painter Osha Neumann.

Andres Cisneros-Galindo, a cultural worker and teacher, brought a large mural called "Contract on America." According to Cisneros-Galindo, "I work from the perspective that all art is political. So I did this piece because the Contract is against poor people, against America. Working class and poor people are the majority. We have to start thinking of ourselves in terms of class. We are being scapegoated for the ills of the system."

"See all the redevelopment in downtown Oakland. The City government's emphasis is on the business side of life, corporations, not on people. The City must start reinvesting in humanity, in people. This is the problem with the Contract -- it gives welfare to corporations, not to people."

Artists Carolyna Marks and Reggie Turner worked with low-income neighborhood children on a tile project portraying "Peace and Justice in the Community." Marks, founder of the World Wall for Peace, described the children's contribution: "The children's response to the theme of justice was to paint houses. Justice means being able to live in a house. They joyously participated."

"The art action was an affirmation of community and a realization of what homelessness is," Marks said. "Diego Rivera said the role of the artist is to express the hopes and fears and desires of the people. That's why it was a nourishing event. Artists spoke from their experience of the community. To give voice to these experiences helps us to move and change and transform."

Artist Reggie Turner voiced his reasons for taking part in the Art Action: "I'm trying to tell people that what we're looking for and wanting to give to children is what we're looking for ourselves. We want shelter, security and love. People think charity is money but the bottom line isn't money—it's caring for people. We want people to care about the circumstances of people. They say we can't afford this and we can't afford that. When it comes to children we just need to give."

The Art Action was followed by civil disobedience at the vacant house at 11th and Martin Luther King Way, in which 15 clergy people, activists and homeless people, including former City Councilman Wilson Riles Jr., occupied the site through Easter morning. Activists opened the windows of the boarded-up house to enter, then hung two 20-foot-long pastel painted banners reading: "Stop Crucifying the Poor—Passover to Justice" and "Future Site of Community Center."

Phyllis Kovacich of the Mary Magdalene/Pax Christi Catholic Worker provided blankets for those spending the night in the house. She said, "I came to make the connections between military spending and poverty. We need money to go to housing, resources for the poor. It's a sin for that house to sit on that lot and not be in use to help people living in the area. If the downtown would put as much money into the lives of people living here as they have to create a skating rink, all of Oakland would truly be bettered."

Fran Burdis, 72, a long-time English teacher and member of East Bay Urban Gardeners, took part in the housing occupation. "I had to do it to make the statement that homelessness is one of the most unacceptable conditions of life in our country today. It's simply unacceptable."

Sherry Larsen-Beville, director of Livermore Conversion Project, described her reasons for occupying the house. "We occupied the building to draw attention to the plight of the poor in Oakland and to begin the campaign for a community center for people in the downtown area. A lot of us care about the inner-city and about the poor. I see this as a sign of hope—not just for the poor but for all of us." ■

Homeless Man Recovers From Police Assault

by Jan Spence

Robert Pinckney is the homeless man who was trapped in the line of fire at the shoot-out on Pine St. near Franklin in San Francisco last November. He also suffered police brutality at the scene by the San Francisco Police.

At about 5:30 p.m. on a Sunday night, he was having a beer with a friend in Austin Alley when he heard three gun shots. He walked a half block in the direction of the gun fire and innocently asked the gunman, "Are you okay?"

Robert was shot twice, the first time, in the right leg by the sniper, Vic Lee Boutwell. He is unsure of who shot him in the right arm. He got away from him and laid down on the ground between two cars, hidden and quiet. He laid there for 25 minutes, hearing bullets coming from all directions. Hundreds of rounds were fired. Robert said, "I thought he would come and kill me. The gunman was only one car length away. I prayed to God that the cops would shoot him and get it over with."

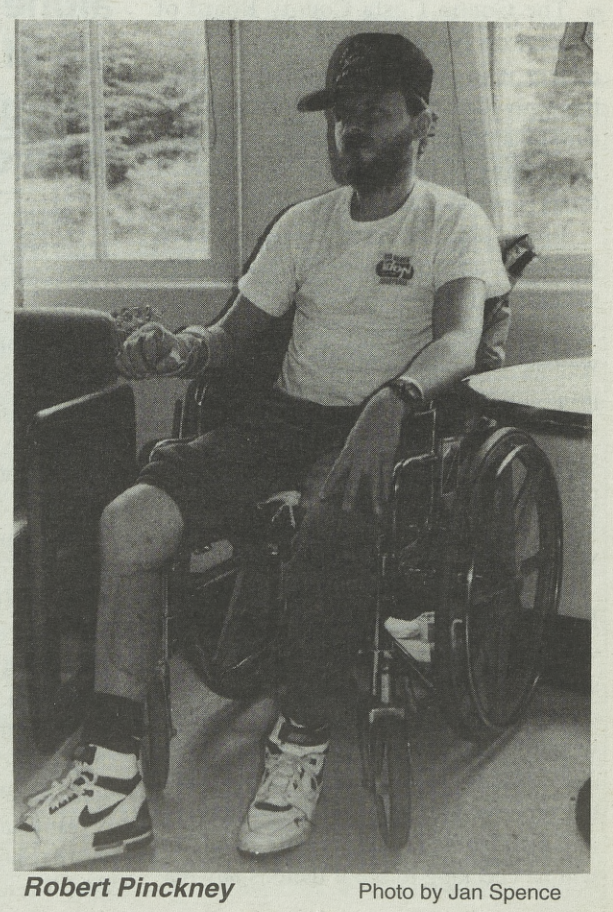
Then he started shouting, "Help! Help! I've been shot! I'm the victim here." Two cops arrived. One had a flashlight. Robert heard the other one say, "I got a bead on him." They handcuffed him and, with his face on the pavement, they stepped on his head and ground "my face into the street like you would put out a cigarette." A lot of broken glass was on the pavement. They kicked him in the head, and stepped on his neck.

They asked Robert, "Who are you?" He told them his name, that he was homeless, that he was not the suspect, that he was the victim. They told him: "Shut up."

Robert was taken to SF General Hospital. "I could feel them digging into my face and pulling out pieces of glass and I could hear the glass being dropped onto a pan," he recalled. They put 23 stitches in his face. Robert was handcuffed until his first operation. He endured two operations for a total of 22 hours, including the grafting of skin, muscle, tendon and nerve. He spent weeks in bed and was confined to a wheelchair for two months.

Robert received apologies from Police Chief Tony Ribera, Inspector Alex Fagan, Lt. Robinson and Mayor Frank Jordan. But the apologies seem empty after Ribera told the Police Commission that his officers acted appropriately. So Robert hired an attorney, Linda Ross, to file a lawsuit against the City for the brutality he underwent.

His many homeless friends are wondering whatever happened to Robert. He continued his recovery program at Laguna Honda hospital; using crutches, he has learned to walk again. Robert was recently dismissed from Laguna Honda and is now living in the Cambridge Hotel with his good friend, Billy Turner.



Robert Pinckney Photo by Jan Spence

The Catholic Worker Spirit at People's Park

Interview with Shura Wallin



Shura Wallin (center) and Co-Workers photo by Jean Weisinger

Interview by Terry Messman

People's Park has been a flash point of controversy for many years, as are the homeless people who frequent the park. Recently the twin controversies around People's Park and homelessness have grown even hotter with the passage of City Council ordinances attacking poor people under the guise of regulating "problematic street behavior." Also, rumblings are heard that UC Regents are again pressuring Berkeley city officials to "clean up" People's Park.

Street Spirit interviewed Shura Wallin for her unique vantage point on these highly charged issues. Shura is the coordinator of Dorothy Day House, a Catholic Worker group which has served homeless people in People's Park nearly every day for a decade.

Dorothy Day House finds inspiration in the vision of Dorothy Day, who founded the Catholic Worker in New York City in the 1930s and devoted her entire life to poor people. Dorothy Day House is an outgrowth of the Berkeley Catholic Worker, which was founded in 1984 by John Cooper, an audacious dreamer who later set up the People's Cafe to feed homeless people in style and with dignity.

Shura Wallin worked with John for many years, and then branched out to help form the Dorothy Day House. Currently, Dorothy Day House serves breakfast seven days a week to an average of 170 people per day at People's Park and the Berkeley Veterans Building. This all-volunteer group serves the homeless community with abundant commitment, but no government funding. They rely entirely on donations and volunteer workers and both are always welcome and needed. To volunteer, contact Gerry Griffin at (510) 525-4977; to donate, call the Dorothy Day House at (510) 466-5553.

Terry Messman: Shura, when did you first become involved with the Catholic Worker?

Shura Wallin: I became involved with the Berkeley Catholic Worker in the 80's. I was not one of its original founders, but I became very involved with providing food for homeless folks at People's Park and, later, with the People's Cafe.

After the People's Cafe was removed from the park in 1990, we began cooking meals elsewhere, and delivering breakfast to the park by truck. Currently, we serve breakfast at 6:00 a.m. to shelter residents at the Berkeley Veterans Building, and then serve a second shift at People's Park from 6:30 to 9:30 a.m.

Sometimes I look at the program and think how far we've come. In the last three years, we've increased the program over 100% by expanding to seven days a week at the park and also at the Veterans Building. We serve hot cereal, coffee, milk, hard-boiled eggs, wonderful toast, jelly, cream cheese, raisins, pastry — I mean, it's a lot of food. A lot of people donate. A group called Dieters Feed The Hungry gave us eggs for the shelter all last year because we ran out of money.

At any rate, we've been serving breakfast in the Veterans Building for three years now, and for a decade at People's Park. The program, I think, has run beautifully. The food is prepared very nicely, and it's a wonderful service to the whole community. If you provide folks with food, I really feel it provides an alternative to "aggressive panhandling," which is the big folderol now.

TM: I still haven't seen anyone being aggressively panhandled in all my years in Berkeley.

SW: Quite frankly, I've been in Berkeley for well over 20 years, and I'll be damned if I have yet run into an aggressive panhandler. I haven't seen others being harassed by panhandlers either.

But if you provide people with food, it will cut down on panhandling, aggressive or otherwise. Food certainly helps people's attitude. I mean, you can imagine going without food for two or three days, and what that feels like and how cranky and angry you get. And you get more angry because you see people walking by who are not in the same position that you're in, and you think, "Wait a minute. Isn't there something there for me? Can't you give me a cup of coffee or a roll? Can't you say hello to me?"

And it's just a human right to have food! It's absolutely the right of every human being on the face of this earth to be able to eat and to be able to know where their meals are coming from.

TM: What do you think of the new Poor Laws and anti-panhandling measures in Berkeley?

SW: Well, I think it's terrible. Obviously, it takes away civil rights. I really think it's way out of proportion and absolutely ridiculous. When you can't sit on the sidewalk and you can't stand on the sidewalk and you can't lie down on the sidewalk, what do they expect folks to do? Provide something for them, but for God's sake don't attack them. It's mean-spirited, and unfortunately it tells the tale of what's going on in the rest of the country. In a way, it's a symbol of how the country is cutting away at people's rights, cutting away at the welfare system, cutting away at things that directly affect the poor. It doesn't happen to the wealthy.

TM: What do you receive from your work with poor and homeless people?

SW: I feel that I've received from poor and homeless people far more than I could ever give if I continued to serve for 20 or 30 more years. I could never give to them what they have given to me. They've allowed me to really understand what it means to love someone unconditionally. I've learned a great deal about tolerance and patience. I have been able to step back and say: "If I were in their place, I know that I would be doing what they are doing. And I cannot judge that."

I'm of the opinion that we all have the same lessons to learn. I feel very blessed to be able to be with folks in the park. I see an awful lot of kindness. I see a lot of everything. You really see life there.

When we show up to serve food at People's Park, it's frenetic at first, but then it settles down. It's amazing how much order there is. Here are all these people who are really suffering a great deal, and still there is a lot of love. If somebody needs a cup of coffee and we've run out, you often hear, "Here, I'll give you half of mine." Or someone will say, "Why don't you take my egg? I don't need it today." And it's really heartening. It's really pretty incredible.

TM: What's coming up in the future for the Dorothy Day House?

SW: The City of Berkeley has asked us to run a hospitality center in the Veterans Building, in conjunction with a multi-agency service center. The City will soon begin renovating the Veterans Building, which means we have to move again for three months or more.

I had a meeting with Mayor Shirley Dean, Weldon Rucker and Carla Woodworth, and they asked me if I felt people from People's Park would go to the forthcoming multi-agency service center. I said that I thought a percentage will go, and a percentage won't. I made it very, very clear that under no circumstances were we at the Dorothy Day House going to abandon those people in the park who really need our services. It's not for me to judge why people are homeless or at People's Park, but we are not going to leave them in the lurch.



"We are our brother's (and sister's) keeper and we must have a sense of personal responsibility to take care of our own, and our neighbor, at a personal sacrifice."
Dorothy Day

TM: So you didn't get any indication from your meeting that city officials were contemplating moving or banning the food programs at People's Park?

SW: In this meeting, there wasn't one word uttered by these folks saying we couldn't continue. What they did say was that the UC Regents are putting pressure on the City to "clean up" People's Park, and it sounded to me like they didn't know what they wanted to do or how they wanted to clean it up.

One thing they want to do is make the park available to all the community. I said, "You know in all the years I've been going to People's Park, I've never seen families out there at eight o'clock in the morning wanting to picnic!" I mean, let's be serious. Also, street people don't hang out there. A percentage hang out under the trees, but I sure don't see a lot of them sitting in the middle of the park, except on the weekends when there's an event.

But I just don't see anything particularly detrimental or off-putting going on. I don't see people running around being aggressive, or ranting and raving, or shouting and screaming. I just see people trying to live their lives as best they can under extreme conditions. And I tell you, they do a hell of a job at it, as far as I'm concerned. It never ceases to amaze me, that with all of their struggles, and with all of their suffering, for the most part they're really pleasant, they're extremely happy to see you and very, very grateful.

TM: How many volunteers do you have, and where do they come from?

SW: We have about 65 volunteers. A number of them are students from Jesuit School of Theology in Berkeley, St. Mary's College and UCB students. We have Catholic sisters, people from the Zen Center, we have Quakers — you name it, we've got it. Not all of us at Dorothy Day House are Catholic. One need not be Catholic to be involved with us. I think the more diverse the group, the better it is.

TM: Could you describe the People's Cafe? What impact did it have on the community?

SW: People's Cafe was a 60-by-20-foot house trailer that was taken to People's Park illegally — though I never feel that doing anything for the poor is really illegal. But in the eyes of the University it was an illegal act. People's Cafe was the vision of John Cooper. It was a brilliant decision. Loni Hancock, the former mayor, said it was a godsend. It gave folks in the park a place to go. We fed roughly 200 people a morning, and stayed open during the day. Folks were free to come and go as they chose; they could be in the trailer, or sit on the verandah or near the trailer. It worked beautifully, and helped people in the park feel more a part of us and not so distant.

Breakfast was our main meal, but we served food at other times of the day. We always had coffee and pastry or cookies. On Sundays, we cooked soup on the stove in the trailer and served it. The trailer itself was pretty primitive, but we learned to work with incredible handicaps and still get the job done.

TM: The People's Cafe was well accepted by homeless people. Was it controversial in the larger community?

SW: It was extremely controversial. It was certainly controversial with the UC because after all the trailer was sitting on University land. There's always been a push to "clean up" the park, and of course the UC Regents are less than enamored with the park. For some reason, the Regents feel that hordes of the homeless congregate there all day, and that all they do is sit around and drink and smoke dope and shoot up. But that is really not an accurate picture of the park at all.

I think the controversy around the trailer and around the park itself and feeding people in the park, is that many people feel that the more services you provide, the more people you're going to draw to the area. I am not of that opinion. I really feel that we need to do as much as we can for poor people. That doesn't mean we take them by the hand and tell them what to do, but it does mean that we help them where we can, and hopefully through that help and kindness, their lives will be changed to some degree — perhaps just

See **Dorothy Day** *page six*

Dorothy Day House

from page five

by feeling more accepted. The more accepted they feel, the more self-esteem they have, and the easier it is for them to perhaps channel their energy in a beneficial way, hopefully by getting off the streets, or finding a job.

TM: So the Regents felt that the People's Cafe brought more homeless people to People's Park, and they were uneasy. How did they respond?

SW: Ultimately, the UC police came to the park in the middle of the night and removed the trailer, in June, 1990. They were less than gentle in taking it out of the park. Windows were broken, the axle was broken, and they carted the trailer off to a vacant lot in Berkeley. Ultimately, it ended up at St. Joseph the Worker Church and it was used as a place to store medical supplies for El Salvador. So even though the trailer was no longer serving people in the park, it was still doing a good deed!

TM: It ended up fulfilling its moral purpose in life. That trailer was a hero in Berkeley. Didn't I hear that just as people may go limp when they're arrested for civil disobedience, didn't the trailer also go limp when the police showed up? Weren't the tires deflated?

SW: Yes. We made it less than easy for the police to remove it. It was hard getting the trailer onto the park, but it was probably harder getting it off. If I remember correctly, the wheels were deflated. It was what I would call an heroic act. Clearly, putting the trailer in the park in the first place was an heroic act, no question about it. And also, you stated it very well, it did fulfill a great spiritual void. And it had an evolution; all of a sudden this trailer had a life of its own. It was a very, very sad day to go to the park and to see and feel that void. Homeless people were very disheartened by its removal because all of a sudden they were back to square one in a sense. The feeling was: "Now what? Now we have nothing. At least we had something before, at least there was some camaraderie, we were accepted. Now what do we do?"

"It's just a human right to have food! It's absolutely the right of every human being on the face of the earth to be able to eat."
-- Shura Wallin

It was a very gloomy period for all of us. But you know the name of this game is this nonviolent fight. With the kind of work we do, you recognize there are all kinds of obstacles. You just decide what you're going to do about those obstacles — you face them head on, you go around them, you jump over them. The thing you don't do is retreat. You might sit down for a minute and regroup, take a deep breath, and say "Now what will we do?" But you know that out of that you will take some kind of action, not for yourself, but for the people you are trying to serve.

TM: What happened to the Catholic Worker after the Cafe was hauled off?

SW: John Cooper had a very serious heart attack in 1990, sometime after the trailer was removed. Between the heart attack and losing the trailer, John never quite got over that period, physically or emotionally. The trailer was really his life. He lived a life of radical poverty.

He wasn't on the street but he was edging towards it. He had a very hard time keeping himself afloat. There was always that stress of: "Will I have enough money to pay the rent this month?"

TM: What became of John Cooper?

SW: He committed suicide last year, a year ago tomorrow in fact. I believe John did more for the poor of Berkeley than anyone I know. He was very difficult with himself, and he was very difficult with other people. But he loved the poor and he would do anything for them.

TM: How were you able to continue your work after losing the trailer?

SW: The core group wanted to continue its work with the poor because the breakfast program benefited so many. At that time we only had eight volunteers and we served breakfast five days a week. It was a lot of work. John had done a lot of it, so it was tough to take up the slack. When I think back, I'm amazed we were able to do it with only eight volunteers.

TM: How did you end up serving food at the Veterans Building?

SW: We had been cooking at St. Mary Magdalen Church in 1991. We also used my kitchen and the Zen Center's kitchen. But I wanted to see if I could get the city to give us a place where we could have folks come in to eat breakfast. So I called Eric Landes-Brenman, the Homeless Services Coordinator, a wonderful person who is absolutely on our side. He said, "How would you feel about using the kitchen in the Veterans Building?"

The City's stipulation for our using the kitchen was that we had to serve breakfast to the residents at their 82-bed shelter.

TM: You mean you not only provide the food in People's Park, but you also have to provide food for everyone at the City's own shelter?

SW: Yes.

TM: The City doesn't provide the food at its own shelter?

SW: The City provides nothing. They feel they're doing us a favor by letting us use the space.

TM: By letting you feed the hungry people in their <u>own</u> shelter. . .

SW: Yes — who they should be feeding themselves. On behalf of the City, however, I will tell you they really have stayed out of our business. Also, when our truck broke down last summer, they gave us money to buy a used truck.

Bear in mind, all our funds come from private donations. We get no federal government funds and no city funds. It's all by private donations. It's tough for us to keep going. It's a 100% volunteer organization. None of us get paid, so we're all on an equal footing.

TM: What has kept you going for so many years? What makes you want to serve the homeless community?

SW: It's the love of the people. I really love those people unconditionally. When you come into contact with people in the park, and you see the looks on their faces when you drive in, you can just feel them saying, "Thank goodness I'm going to have something to eat today."

Even when I was very young, only three or four, I had a strong sense of justice and fairness. I feel this to my core: there is something morally wrong about seeing people hungry, and morally wrong about seeing people huddled in doorways or having to sleep outside in a downpour. So I'm going to continue to help in any way I can. ■

Down and Out in Berkeley, by "Moby" Theobald

Review by B.N. Duncan

First out in March, 1995, this is Moby's sixth xeroxed adult-level comic book in a series about life in Berkeley as seen by a homeless man (or urban camper, as he prefers to call himself) who is an original, brilliant cartoonist. Moby stars himself in adventures that show both imagination and acute observation of real life.

The comic-strip story has philosophical importance, being much concerned with the issue of being judged by appearances and a person's need to not be too dependent on what other people think of him. The comedy has touches of pain with serious overtones. This is a man who never fit in very well with other people, who is prone to falter with women he desires.

On the basis of a disguised appearance, Moby attends a power-lunch, and tries to woo an upward-status-oriented woman, but he isn't an "uppity-grooving" dude. He is made of common clay and shares off-beat qualities with many other members of the socially marginal Telegraph Avenue street-scene. Moby finds that the good-looking "high-class" woman he seeks to impress is petty and mean-spirited, less of a person than many street-people he knows.

The story touches on unbalanced extremes of poverty and affluence in our society, giving the reader the question of "Who deserves what?" Does a poor person "deserve" to be poor? Does a money-making person deserve what he gets regardless of how he makes money?

Moby's storytelling has good pace and timing, and makes frequent impacts in the actions and observations. The drawing has strength and verve, with aspects of rawness and funkiness suited to the subject matter. The dialogue is snappy.

The story runs a generous 44 pages, more than usual for a standard comic book, and sells for only $2.00. *DOWN AND OUT IN BERKELEY #6* should be available on Telegraph Avenue (South campus) at vending tables of B.N. Duncan, Ace Backwords and Moby, at some bookstores (e.g., Cody's), and at the Comic Relief Store on University Avenue near Shattuck Avenue.



GA Cuts Push People to the Edge

from page one

reach out to the homeless, addicted and others, and tell them my story — a story in which GA, in the beginning, is the very core of a step towards being independent. The program works by my telling another suffering addict, homeless person or recipient that they can take this step towards independence too. But what do I say to them when they have absolutely nothing but a growling, empty stomach, the stress of not having a place to sleep, and their only hope is about to be snatched right from under them?

The GA Hearing

The Henry Robinson Multi-Service Center (where I work), along with Emergency Services Network, Berkeley-Oakland Support Services and many other organizations set out to organize people to come to the Alameda County Supervisors meeting in March to tell *their* stories.

We told them that the supervisors needed to be aware of just how much **good** GA does. The organizing teams worked hard and long. Day and night we went to shelters, recovery homes, churches, senior citizen homes and anywhere we thought people would be affected by these devastating proposals.

"What do I say to homeless people when they have absolutely nothing but a growling, empty stomach, the stress of not having a place to sleep, and their only hope is about to be snatched right from under them?" -- Bertha Ray

The hard work paid off. People came out in masses. There were hundreds of participants willing to speak up — and speak up they did! The public appeal to the supervisors went on for three hours. I feel the meeting was an important reality check for all concerned that day.

The stories that were told about eking out a mere existence on GA were heartbreaking, but the stories that you don't often get a chance to hear were also interesting. Like the seniors of Alameda County who have worked for years and need GA while they wait for unemployment, retirement or other income to come through. And the disabled people living on GA while they wait for SSI.

It was absolutely amazing to me to hear just how many successfully recovering addicts had gone to school, found a job and were now totally independent, but had started with GA. At the same time, most of the public stories heard at the hearing were *not* from drug addicts.

People need to know that, even though this program will be cut, had it not been for **all** the public participation it would have been a much sharper cut — maybe the total elimination of GA!

And my final reflection is for those supervisors that literally cried about, but then voted for, a cut that could throw people into the street. Next time, because we know there will be a next time, look at your own salaries, and look at the thousands of alternatives you have, before you cut a social program that houses, clothes, feeds, and educates the citizens of not only this country, but citizens of the richest country in the world. ■



photo by Judi Parks

An "Unwelcome Mat" for the homeless at SF City Hall. Supreme Court ruling will intensify this repression.

Supreme Court Ruling Lets Santa Ana Banish the Poor

A Defacto Segregation Policy for Homeless People

Editorial by Terry Messman

By upholding Santa Ana's anti-homeless ordinance, the State Supreme Court not only ripped apart the last remaining constitutional protections for homeless people in California, it went even further, stripping away their very right to sleep. This court decision literally strips the blankets off homeless people who are forced by poverty to sleep outdoors.

The ruling ensures copy-cat cruelty by dozens of other cities that will leap at the chance to enact similar laws to outlaw homelessness. Berkeley's Poor Laws and San Francisco's Matrix Program undoubtedly have been given a shot in the arm, just when activists and attorneys were effectively challenging them.

The California Supreme Court ruled on April 24 that Santa Ana can arrest and jail any homeless person who sleeps in **any** public park, street or plaza within its city limits, sleeps under blankets, or stores personal belongings in any public area.

We finally have learned what court-supported segregation and city-enforced bigotry look like in California. In the Golden State, vicious, discriminatory laws are enacted under a genteel, civilized veneer. Liberal, affluent cities blandly claim that they only want to "clean up" the streets on behalf of the general public. Meanwhile, the public looks away uneasily and pretends not to see the thousands of homeless people arrested, prosecuted, jailed and driven out of town simply because they have committed the "crime" of falling below an acceptable income level. And then the California Supreme Court comes along to declare that this grotesque violation of civil-rights is all legal.

With this ruling, the State Supreme Court has placed itself firmly in the infamous legal tradition of municipal and state courts in the Deep South which unflinchingly upheld Jim Crow laws and segregationist statutes for 100 years after the Civil War.

Make no mistake about it. The court ruling in the case of *Tobe v. City of Santa Ana* is a disgraceful and dangerous attack on the rights of the poorest of the poor. The ordinance was crafted as part of a deliberate, four-year campaign by the City of Santa Ana to criminalize homeless people who sleep outdoors, drive them out of select neighborhoods, and either banish them from the city limits or arrest and jail them for up to six months.

A Defacto Segregation Policy

Santa Ana's anti-homeless ordinance is a defacto segregation policy aimed at banishing homeless people. This systematic discrimination against the poor has disturbing historic parallels with other laws in other times. Once again in America, city officials are carrying out a mean-spirited segregation policy against a hated minority. Why have we forsaken the legacy of the civil rights movement only three decades after it supposedly abolished discrimination and segregation?

Dissenting Supreme Court Justice Stanley Mosk charged the court with outlawing "truly innocuous conduct" by homeless persons "whose sole 'crime' was to cover themselves with a blanket and rest in a public area." Justice Mosk's dissenting opinion exposes the court decision as an assault on the basic human rights of homeless people. "Criminalizing the harmless act of sleeping in a public place — when the vast majority of homeless persons in Santa Ana have no legal alternative other than to **'get out of town before sundown'** — forbids a necessity of life," Justice Mosk declared. "The city cannot solve its 'homeless problem' simply by exiling large numbers of its homeless citizens to neighboring localities."

This is the heart of what is wrong with the court's inhumane ruling. Santa Ana designed an ordinance to outlaw, banish and exile homeless people. In upholding this law, the Supreme Court might as well have declared an open hunting season on the homeless in every city in California. Dozens of cities displayed their eagerness to unleash their own cruel laws by submitting court briefs supporting Santa Ana's police-state approach.

Oppening The Floodgates

This ruling opens the floodgates of repression and sends an engraved invitation to every city to outlaw homelessness. San Francisco, Oakland, Berkeley, San Jose, Santa Monica, Santa Cruz and Sacramento already have ordered their police to arrest homeless people and confiscate their meager belongings. These attacks had grown to a dangerous level even before Santa Ana's assault was given the big green light by the state's highest court.

It's a new era now — an era of state-sponsored hate crimes against the homeless. At the same time, NIMBYism (the Not in My Backyard Syndrome) has reached feverish dimensions across the nation, sponsored by the same bigots who fought against Fair Housing legislation in the '60s and '70s. NIMBYism singles out the poorest people in society, and works to systematically exclude them from select neighborhoods.

Anti-homeless prejudice haunts us in many forms. In San Francisco, the Mayor orders homeless encampments to be bulldozed. In Berkeley, the City Council caves in to bigoted neighbors who refuse to allow homeless people with AIDS to have a single residence in their liberal city. In Atlanta, city officials plan to create a downtown "vagrant-free zone." In Philadelphia, the City Council rallies the entire community against a model permanent-housing program for homeless women.

How can the Justices uphold vicious laws enabling Santa Ana to segregate it's citizens base on poverty when it is illegal to segregate base on racism?

American society has always preferred to blame the poor for their poverty. But with the Santa Ana ruling, the State Supreme Court has let our prejudices and fears of poor people drive us backwards in time to a truly frightening era of discrimination. ■

Street Spirit

Justice News & Homeless Blues in the East Bay

Volume 1, Number 3
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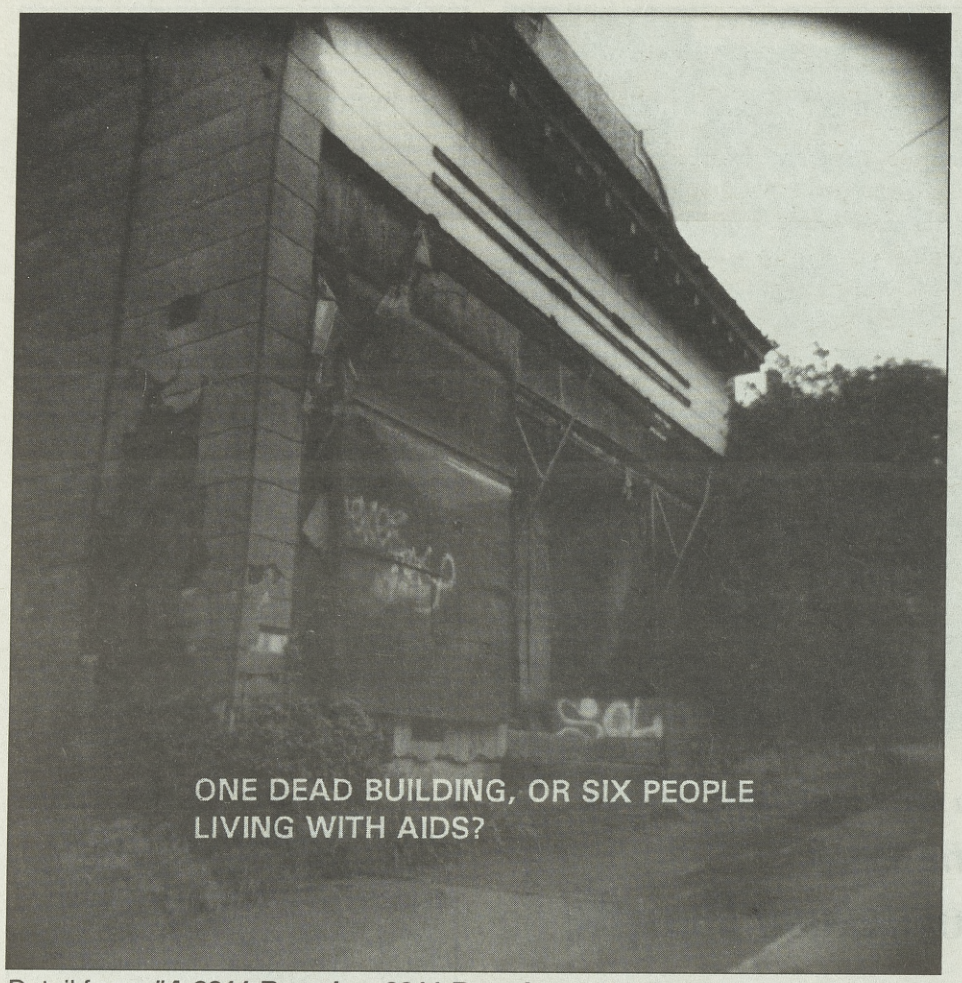
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Detail from: ***"A 2211 Rose is a 2211 Rose is a 2211 Rose."***
Meditations and Photographs (c) 1995 by Michael Tinker, a person living with AIDS.

AIDS Housing Jeopardized by NIMBYism

from page one

When the Northern California Land Trust bought a small apartment building on California Street that had been vacant for more than 10 years to create housing for low-income families, neighbors again objected, saying they didn't want any children in the neighborhood (conveniently forgetting that it is illegal to discriminate against families with children).

When the City recently wanted to rehab the gutted Campanile Hotel in downtown Berkeley to house homeless people in single-room occupancy (SRO) housing, the neighbors complained that it would hurt downtown businesses and that residents would take drug overdoses or urinate in the street.

So it shouldn't have surprised me that when RCD tried to build housing for homeless people with AIDS in North Berkeley, some neighbors would once again object and organize against it. RCD is a nonprofit housing agency which has developed many successful projects over the past 10 years, including a shelter for homeless women and children, transitional and SRO housing, housing for Vietnam veterans, housing for people displaced by the 1989 earthquake, and resident-owned limited equity housing co-ops.

RCD has also developed housing for people with AIDS in Oakland and Emeryville, and since Berkeley has no housing at all for people with AIDS, RCD located a site at 2211 Rose Street in North Berkeley. The site is a large lot occupied by a dilapidated, boarded-up grocery store which has been sitting vacant for 30 years, an eyesore and a fire hazard in this otherwise upscale, beautifully landscaped North Berkeley neighborhood.

RCD originally planned to build a large two-story house that would provide permanent housing for 12 homeless people with AIDS. However, a few neighbors vociferously opposed the project from the beginning. Some felt that the proposed house was too big for the lot, others feared a lack of supervision would lead to problems, and still others feared that some of the residents might be drug addicts. However, it became clear that these were all just excuses to cover up the neighbors' fear and hatred of the poor, the homeless, disabled people and people with AIDS.

RCD agreed to accommodate the neighbors' concerns by modifying the building, lowering the number of residents from 12 to 6, agreeing to hire a resident manager for round-the-clock supervision of the house, assuring careful screening of residents and requiring 90 days of being clean and sober to be eligible for the program. After all this work to answer neighborhood concerns, the neighbors opposed the project even more vigorously.

In fact, trying to accommodate the neighbors by reducing the size of the Rose Street residence only gave them a new excuse to oppose the project. Now they claimed that since fewer people would reside there, it was no longer cost effective to provide housing at a price tag of approximately $800,000. About one-third of this money would come from the City, with each local dollar leveraging an additional three dollars from federal and state housing funds. While the neighbors claimed that this price was too high for the number of people served, the cost per person is comparable to similar AIDS housing in Oakland and San Francisco.

Housing for people with AIDS is very expensive because it must be wheelchair accessible, with wide doorways, elevators and accessible bathrooms. In addition, the high cost of real estate in Berkeley, high construction costs and the lengthy public review process all add to the costs. Even so, building permanent, accessible, service-enriched housing for people with AIDS is still much cheaper than caring for people in a hospital ($1,500 per person per day) or in a skilled nursing facility or hospice (up to $500 a day).

Providing permanent housing and services at the Rose Street house would cost between $50-$100 per day. And, of course, the cost would have been much lower per person if the neighbors had not insisted that RCD reduce the size of the house from 12 people to 6.

In an unusual and very encouraging turn of events, many people in the neighborhood began to speak out in favor of the project. Some even organized a support committee to speak out against the fear-mongering of their NIMBY neighbors who oppose the project. Many supportive neighbors were shocked and ashamed that these few people were giving their neighborhood a bad name by opposing AIDS housing. Many on the support committee had lost friends or relatives who had died from AIDS, and wanted to do whatever they could to provide housing and services for people with AIDS.

In addition, ACT-UP East Bay and other AIDS service providers and housing activists organized to support the Rose Street house, putting out leaflets and newsletters, lobbying elected officials, getting articles into newspapers, and organizing rallies and candlelight vigils. ACT-UP even held a Halloween costume party at the Rose Street site, passing out candy to all the neighbors to show that "people with AIDS aren't so scary after all."

Despite such strong support for the project, on March 9 the City's Housing Advisory Commission (HAC) voted 8-1 against recommending $42,500 in Community Development Block Grant (CDBG) funds for Rose Street, even though the funds were available and may have to be given back to the federal government if not allocated. HAC also voted against giving $26,000 to Affordable Housing Associates for the only other AIDS housing proposed in Berkeley.

Their stated concerns were all just excuses to cover up the neighbors' fear and hatred of the poor, the homeless, disabled people and people with AIDS.

Refusing to fund these projects will leave surplus housing funds languishing while people with AIDS are homeless in Berkeley! AIDS activists and housing advocates were outraged when the vote was taken. I personally became very emotional, as I have worked with people with AIDS for 14 years. I have seen many professional, working-class and poor people with AIDS become homeless when they became too sick to work and couldn't afford to pay rent out of their paltry SSI or Disability checks. You don't need a calculator to figure out that if you pay 100% of your $620 SSI check in rent, you will be forced out on the street in a hurry.

Activists organized a rally for the April 11th City Council hearing on the CDBG funding proposals, including Rose Street. About 150 people packed the council chambers; many more were locked out of the building by police and fire marshals. The council heard testimony from about 75 neighbors and supporters urging them to support the Rose Street house; only a handful of neighbors spoke against it. The council heard testimony until midnight, but will not vote on this until May 16.

All four progressive City Councilmembers are likely to vote in favor of the project, but they must persuade at least one of the more conservative Councilmembers to vote for it in order to win a majority vote for the funding.

The small but vocal group of opponents of the project continue to organize against it, spreading lies and disinformation to frighten people into opposing this house. Their arguments have no merit when confronted with the facts. RCD has worked hard to meet their concerns, but they have been unwilling to compromise, or accept the house in their neighborhood. The bottom line is that these nice, white, affluent neighbors feel that homeless and poor people with AIDS just don't deserve to live in their upscale neighborhood. ■

CALL TO ACTION:

Supporters are needed to ensure that the City Council does not cave in to the fear tactics of a few neighbors when the need for this housing is so urgent. We urge all Berkeley residents to **call** or **write** the **Mayor** and **City Councilmembers** urging them to vote in favor of the Rose Street House. Their address is: 2180 Milvia Street, 5th floor, Berkeley, CA 94704.

Also, we encourage everyone to come to the City Council meeting when this vote will take place: **May 16, 7 p.m., at Old City Hall, 2nd floor, 2134 Martin Luther King Jr. Way, Berkeley.**

For more information, call: Kathy Labriola, Housing Policy Task Force, (510) 464-4652; or Resources for Community Development, 841-4410.

PHONY ECONOMY

by Michael Turner Thomas

Land of the free
Or tragic dichotomy
Trying to survive
Within a phony economy.
Now an industrial mite
The prime resource is crime,
The only thing america makes
Is African men do time.

You can't feed your kids
Because you can't get a job,
Dogged out by the system
Run by the Lawn Order mob.
You steal to feed your babies
Will the madness never stop,
You're caught and taken to jail
By fifty thousand dollar cops.

You've become unfinished goods
Like rolls of cloth to a tailor,
You are now being held
By a forty thousand dollar jailer.
You tried to push the system
But the system wouldn't budge,
So now you have to go before
A hundred thousand dollar judge.

Someone is sent to your aid
The lowly law bender,
Sixty thousand dollars a year
Goes to your public defender.
Your freedom is at stake
It adds excitement to the journey,
Sixty thousand dollars also
For the district attorney.

The guilty verdict is in
Doing prison time so hard,
All the while being watched
By fifty thousand dollar guards.
Sentence is almost served
Freedom is a reachable goal,
But first sixty thousand dollars
To the agent of parole.

After doing what you did
After being where you've been,
Realize the system is designed
To have you do it all again.
Judges, lawyers and cops
Would have nothing worthwhile to do,
If they couldn't dog us brother
Too bad this story is true.

When all is said and done
You still have to feed the babies,
The courthouse is the railroad station
For the trains that carry gravy.
African men used and abused
We are the prime commodity,
The pain of monetary slavery
In this phony economy.

You just lived a nightmare
But you wish it were a dream,
Knowing lawyers, cops and judges
Are all on the other team.
It's enough to make you scream
It's enough to make you holler,
To witness such gross misuse
Of ever growing tax dollars.